

under the Medicaid program notwithstanding that the organization enrolls Medicaid beneficiaries residing in another county, and the bill was then passed, clearing the measure for the President. **Page S11329**

Medicaid Enrollment: Committee on Finance was discharged from further consideration of H.R. 3871, to waive temporarily the Medicaid enrollment composition rule for certain health maintenance organizations, and the bill was then passed, clearing the measure for the President.

National Physical Fitness and Sports Foundation Establishment Act: Senate passed S. 1311, to establish a National Fitness and Sports Foundation to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports, after agreeing to the following amendment proposed thereto: **Pages S11329–31**

Grassley (for Pressler) Amendment No. 5403, to make technical corrections. **Pages S11329–30**

VA/HUD Appropriations Conference Report: Pursuant to the order of Tuesday, September 24, 1996, Senate agreed to the conference report on H.R. 3666, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1997, clearing the measure for the President. **Pages S11218–25**

Intelligence Authorizations—Conference Report: Senate agreed to the conference report on H.R. 3259, to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, clearing the measure for the President. **Pages S11321–26**

Treaty Approved: The following treaty having passed through its various parliamentary stages up to and including presentation of resolution of ratification, upon division, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification was agreed to:

Treaty Doc. No. 104–27, International Natural Rubber Agreement, 1995, with a declaration. **Pages S11248–57**

Executive Reports of Committees: The Senate received the following executive reports of a committee:

Report to accompany the Income Tax Convention with Kazakhstan (Treaty Doc. 103–33) (Exec. Rept. No. 104–34);

Report to accompany the Protocol Amending Article VIII of the 1948 Tax Convention with Respect

to the Netherlands Antilles (Treaty Doc. 104–23) (Exec. Rept. No. 104–35); and

Report to accompany the Taxation Protocol Amending Convention with Indonesia (Treaty Doc. 104–32) (Exec. Rept. No. 104–36). **Pages S11291–92**

Nominations Confirmed: Senate confirmed the following nominations:

17 Air Force nominations in the rank of general.

51 Army nominations in the rank of general.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S11331–33**

Nominations Received: Senate received the following nomination:

Kelly D. Johnston, of Oklahoma, to be a Member of the Federal Election Commission for a term expiring April 30, 2001. **Page S11333**

Messages From the House: **Pages S11289–90**

Measures Referred: **Page S11290**

Measures Read First Time: **Page S11290**

Communications: **Pages S11290–91**

Executive Reports of Committees: **Pages S11291–94**

Statements on Introduced Bills: **Pages S11294–S11313**

Additional Cosponsors: **Pages S11313–14**

Amendments Submitted: **Page S11314**

Authority for Committees: **Pages S11314–15**

Additional Statements: **Pages S11315–20**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:33 p.m., until 9 a.m., on Thursday, September 26, 1996. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S11332–33.)

Committee Meetings

(Committees not listed did not meet)

EXPORT PROMOTION

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Finance concluded hearings to review the Fourth Annual Report of the Trade Promotion Coordinating Committee, created by the Export Enhancement Act of 1992 to provide for a unified federal export promotion strategy, focusing on foreign trade practices by United States competitors, after receiving testimony from Stuart E. Eizenstat, Under Secretary of Commerce for International Trade.

MARS DISCOVERY

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology and Space concluded hearings to examine the recent discovery of evidence of past life on Mars, after receiving testimony from Ernest J. Moniz, Associate Director for Science, Office of Science and Technology Policy; Wes Huntress, Administrative Assistant, Space Science Program, and David S. McKay, Assistant for Exploration, Earth Science and Solar System Exploration Division, Johnson Space Center (Houston, Texas), both of the National Aeronautics and Space Administration; Nancy Hinman, University of Montana, Missoula; Harry Y. McSween, University of Tennessee, Knoxville; and John Kerridge, University of California at San Diego, La Jolla.

AVIATION SAFETY

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine aviation safety issues, focusing on the treatment of families following airline accidents, after receiving testimony from Victoria Cummock, Coral Gables, Florida, on behalf of the Families of Pan Am 103 Lockerbie; Richard Kessler, Atlanta, Georgia, on behalf of the victims of ValuJet Flight 592; Dario Cremades, New York, New York, and A. Frank Carven III, Bel Air, Maryland, both on behalf of victims of TWA Flight 800; Hans Ephraimson-Abt, New York, New York, on behalf of the American Association of Families of Korean Airlines Flight 007 Victims; and Kendra St. Charles, Akron, Ohio, on behalf of the victims of USAir Flight 405.

NORTH CAROLINA LAND CLAIM

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management concluded hearings on S. 987, to provide for the full settlement of all claims of Swain County, North Carolina, against the United States under the agreement dated July 30, 1943, after receiving testimony from Senators Helms and Faircloth; Representative Charles Taylor; Denis Galvin, Associate Director for Planning and Development, National Park Service, Department of the Interior; Linda Hogue, North Shore Road Association, and Bill Lewis, Swain County Commission, both of Bryson City, North Carolina; Helen Vance, North Shore Cemetery Association, Sylva, North Carolina; Joyce C. Dugan, Eastern Band of Cherokee Indians, Cherokee, North Carolina; Peter Kirby, Wilderness Society, Atlanta, Georgia; Ted Snyder, Sierra Club, Walhalla, South Carolina; John Thornton, National Parks and Conservation Association, Washington, D.C.; and John George, Angwin, California.

TRADE LAW AMENDMENTS

Committee on Finance: Committee ordered favorably reported H.R. 3815, to make technical corrections and miscellaneous amendments to trade laws, with an amendment in the nature of a substitute.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

The nominations of Richard W. Bogosian, of Maryland, for the rank of Ambassador during his tenure of service as Special Coordinator for Rwanda/Burundi, Dennis K. Hays, of Florida, to be Ambassador to the Republic of Suriname, Genta Hawkins Holmes, of California, to be Ambassador to Australia, Arma Jane Karaer, of Virginia, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to Solomon Islands, and as Ambassador to the Republic of Vanuatu, John Francis Maisto, of Pennsylvania, to be Ambassador to the Republic of Venezuela, Anne W. Patterson, of Virginia, to be Ambassador to the Republic of El Salvador, John Stern Wolf, of Maryland, for the rank of Ambassador during his tenure of service as U.S. Coordinator for Asia Pacific Economic Cooperation, Marilyn McAfee, of Florida, a Career Member of the Senior Foreign Service of the U.S. Information Agency, for promotion to the Class of Career Minister, Madeleine Korbel Albright, of the District of Columbia, and Edward William Gnehm Jr., of Georgia, each to be a United States Representative to the Fifty-first Session of the General Assembly of the United Nations, Karl Frederick Inderfurth, of North Carolina, and Victor Marrero, of New York, each to be an Alternate United States Representative to the Fifty-first Session of the General Assembly of the United Nations, and certain Foreign Service officer promotion lists.

Convention Between the Government of the United States and the Government of the Republic of Kazakhstan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, together with the Protocol and the two related exchanges of notes, signed at Almaty on October 24, 1993 (Treaty Doc. No. 103-33), with a proviso;

An exchange of notes dated at Washington July 10, 1995, relating to the Tax Convention with the Republic of Kazakhstan—Treaty Doc. No. 103-33 (Treaty Doc. No. 104-15), with a proviso;

The Protocol between the Government of the United States and the Government of the Kingdom of the Netherlands in Respect of the Netherlands Antilles Amending Article VIII of the 1948 Convention with Respect to Taxes on Income and Certain

Other Taxes as Applicable to the Netherlands Antilles, signed at Washington on October 10, 1995 (Treaty Doc. No. 104-23);

Protocol, signed at Jakarta July 24, 1996, Amending the Convention Between the Government of the United States and the Government of the Republic of Indonesia for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, with Related Protocol and Exchange of Notes Signed at Jakarta on the 11th Day of July 1988 (Treaty Doc. No. 104-32);

An original bill (S. 2130) to extend certain privileges, exemptions, and immunities to Hong Kong Economic and Trade Offices;

S. Res. 285, expressing the sense of the Senate that the Secretary of State should make improvements in Cambodia's record on human rights, the environment, narcotics trafficking and the Royal Government of Cambodia's conduct among the primary objectives in our bilateral relations with Cambodia, with an amendment in the nature of a substitute;

H.R. 3916, to make available certain Voice of America and Radio Marti multilingual computer readable text and voice recordings;

H.J. Res. 158, to recognize the Peace Corps on the occasion of its 35th anniversary and the Americans who have served as Peace Corps volunteers, with amendments; and

H.R. 3846, to provide grant assistance to increase the availability of credit to micro and small enterprises lacking full access to credit.

Also, testimony was received on the aforementioned treaties from Kenneth J. Kies, Chief of Staff, Joint Committee on Taxation.

LEBANON

Committee on Foreign Relations: Subcommittee on Near Eastern and South Asian Affairs concluded hearings to examine the prospects for peace, security, and economic development in Lebanon, after receiving testimony from Senators Graham and Abraham; former Senator Percy; Elizabeth McKune, Director, Office of Jordan, Lebanon, Syria, and Palestinian Affairs, Department of State; Brian Henderson, Merrill Lynch International, and Terry Anderson, Columbia University, both of New York, New York; Peter J. Tanous, American Task Force for Lebanon, Washington, D.C.; and John Kelly, International Equity Partners, Conyers, Georgia.

REGULATORY REFORM

Committee on Governmental Affairs: Subcommittee on Financial Management and Accountability held oversight hearings to review the activities of the Office of Information and Regulatory Affairs and its implementation of Executive Order No. 12866, Regu-

latory Planning and Review, focusing on the need to improve the Federal regulatory system, receiving testimony from Sally Katzen, Administrator, Office of Information and Regulatory Affairs; L. Nye Stevens, Director, Federal Management and Workforce Issues, General Government Division, General Accounting Office; Robert L. King, New York State Office of Regulatory Reform, Albany; James C. Miller III, Citizens for a Sound Economy, C. Boyden Gray, Wilmer, Cutler & Pickering, Robert W. Hahn, American Enterprise Institute, and Paul R. Portney, Resources for the Future, all of Washington, D.C.; and Scott L. Holman, Bay Cast Inc., Bay City, Michigan, on behalf of the United States Chamber of Commerce.

Hearings were recessed subject to call.

WHITE HOUSE INFORMATION ACCESS

Committee on the Judiciary: Committee resumed hearings to examine the dissemination of Federal Bureau of Investigation background investigation reports and other information to the White House, receiving testimony from Howard M. Shapiro, General Counsel, Federal Bureau of Investigation, Department of Justice; and D. Craig Livingstone, former Director, White House Office of Personnel Security.

Hearings were recessed subject to call.

PRISON LITIGATION REFORM ACT

Committee on the Judiciary: Committee concluded hearings to examine the role of the Department of Justice in implementing the Prison Litigation Reform Act, as contained in P.L. 104-134 (Omnibus Consolidated Rescissions and Appropriations Act of 1996), after receiving testimony from John R. Schmidt, Associate Attorney General, Department of Justice; Michigan Governor John Engler, Lansing; Sarah Vandenbraak, Pennsylvania Department of Corrections, Harrisburg; Laura Chamberlain, Assistant Corporation Counsel of the City of New York, New York; Mark Soler, Youth Law Center, Washington, D.C.; and Walter Dickey, University of Wisconsin Law School, Madison.

INTELLIGENCE RELATED TO GULF WAR ILLNESSES

Committee on Veterans Affairs/Select Committee on Intelligence: Committees concluded joint hearings to examine an intelligence analysis with regard to the possible exposure of United States troops to chemical or biological agents during the Persian Gulf War, after receiving testimony from John E. McLaughlin, Vice Chairman for Estimates, National Intelligence Council; Sylvia Copeland, Chief, CIA Persian Gulf Illnesses Task Force; Stephen C. Joseph, Assistant Secretary of Defense for Health Affairs; and Kenneth

W. Kizer, Under Secretary of Veterans Affairs for Health.

NAVAJO-HOPI LAND SETTLEMENT ACT

Committee on Indian Affairs: Committee held hearings on S. 2111, to make certain amendments to the Navajo-Hopi Land Settlement Act of 1974 and to provide for the phase out of the Navajo and Hopi Relocation Program within five years, receiving testi-

mony from Christopher J. Bavasi, Executive Director, Office of Navajo and Hopi Indian Relocation; Ferrell H. Secakuku, Hopi Tribe, Kykotsmovi, Arizona; Herb Yazzie, Navajo Nation, Window Rock, Arizona; Nathan David and LaVonne Tsosie, both of the Nahat'a' Dził Chapter, Sanders, Arizona; and Bonnie Whitesinger, Sovereign Dineh Nation, Flagstaff, Arizona.

Hearings were recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 28 public bills, H.R. 4164–4191; 1 private bills, H.R. 4192; and 5 resolutions, H. Con. Res. 218–220, and H. Res. 535, 537 were introduced.

Pages H11228–30

Reports Filed: Reports were filed as follows:

H.R. 3142, to establish a demonstration project to provide that the Department of Defense may receive Medicare reimbursement for health care services provided to certain Medicare-eligible covered military beneficiaries, amended (H. Rept. 104–837 Part I);

H.R. 3973, to provide for a study of the recommendations of the Joint Federal-State Commission on Policies and Programs Affecting Alaska Natives, amended (H. Rept. 104–838);

H.R. 2579, to establish the National Tourism Board and the National Tourism Organization to promote international travel and tourism to the United States, amended (H. Rept. 104–839 Part I);

H.R. 2561, to provide for an exchange of lands located near Gustavus, Alaska, amended (H. Rept. 104–840 Part I);

Conference report on H.R. 2977, to reauthorize alternative means of dispute resolution in the Federal administrative process (H. Rept. 104–841);

H. Res. 535, waiving points of order against the conference report to accompany H.R. 1296, to provide for the Administration of certain Presidio properties at minimal cost to the Federal taxpayer (H. Rept. 104–842);

Conference report on S.640, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States (H. Rept. 104–843);

H.R. 2923, to extend for 4 additional years the waiver granted to the Watts Health Foundation from the membership mix requirement for health

maintenance organizations participating in the Medicare program (H. Rept. 104–844 Part I); and

H.R. 4012, to waive temporarily the Medicare enrollment composition rules for the Wellness Plan (H. Rept. 104–845 Part I).

Pages H11108–15, H11158–H11202, H11228

Intelligence Authorization: The House agreed to the conference report on H.R. 3259, to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

Pages H11056–71

H. Res. 529, the rule waiving points of order against consideration of the conference report, was agreed to earlier by a voice vote.

Pages H11054–56

Immigration and Nationality Act: By a recorded vote of 305 ayes to 123 noes, Roll No. 432, the House agreed to the conference report on H.R. 2202, to amend the Immigration and Nationality Act to improve deterrence of illegal immigration to the United States by increasing border patrol and investigative personnel, by increasing penalties for alien smuggling and for document fraud, by reforming exclusion and deportation law and procedures, by improving the verification system for eligibility for employment, and through other measures, to reform the legal immigration system and facilitate legal entries into the United States.

Pages H11079–91

Rejected the Bryant of Texas motion that sought to recommit the conference report to the committee of conference with instructions to the managers on the part of the House to take all of the following actions: Recede to and include section 105 of the Senate amendment, relating to increased personnel levels for the Labor Department. Recede to and include section 120A of the Senate amendment, relating to subpoena authority for cases of unlawful employment of aliens or document fraud. Recede to and